

Academic Appeals Procedure 2024/25

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1. Introduction

1.1 If you wish to appeal against an assessment decision, you should follow the Academic Appeals Procedure set out below. Please make sure that you have read the grounds for appeal before you make an appeal.

The Academic Appeals Procedure is available on request in different formats including audio, disk, Widget, Braille and enlarged print. If you would like help from a signer, reader or interpreter when making an appeal, please contact Quality & Standards who can arrange for help:

Quality and Standards Office,
City of Portsmouth College [Highbury Campus],
Tudor Crescent,
Portsmouth,
Hampshire,
PO6 2SA
Telephone number 02392 383161

The Academic Appeals Procedure does not cover complaints about teaching, programme design and delivery or the support provided on a programme. If you are dissatisfied with services, your programme or the support provided on your programme, you should make a complaint using the Colleges Feedback (Compliments and Complaints) policy and procedure.

1.2 This procedure adheres to the principles set out in the College's Assessment and Equality, Equity, Diversity & Inclusion Policy.

1.3 Where students are assessed as having a learning difficulty and/or disability or language support need, they should contact the Head of Learning Support to arrange for any support needed throughout the appeal process.

2. Academic Appeals Procedure

2.1 Grounds for Appeal

A request for a review of an assessment decision can be made for one or more of the following reasons:

- That a student has submitted evidence of factors such as illness that have affected their work, but the assessor has not considered this evidence.
- That the assessor was not informed of the factors such as illness affecting the student's performance because the student was unable to make these factors known for exceptional reasons. The student has to produce evidence of these factors when making an appeal.
- That the assessment procedures were not followed in accordance with regulations.
- Some other material irregularity.

Students should note that a request for a review cannot be based on the questioning of the academic judgement of the teaching team or a representative of an awarding body.

2.2 How can you make an appeal?

You should put your appeal in writing, and you should include the following information:

- Your full name and address, programme and year of study.
- Details of the assessment decision which is the subject of your appeal.
- The name(s) of the teacher(s) who made the assessment decision.
- Full details of your grounds for appeal.

2.3 Stage 1 - Appeals Process

It is expected that you will discuss your concerns about an assessment decision with your Programme Leader within 3 working days of the assessment decision to see if an agreement can be reached. Your Programme Leader will discuss your concerns with the assessor. Your Programme Leader will let you know in writing the outcome of these discussions within 5 working days. A note of your concerns will be stored with your work.

2.4 Stage 2 – Appeals Process

Appeals are usually resolved at Stage 1 of the Appeals Process; however, If you are still dissatisfied after your Programme Leader has reviewed your concerns about the assessment decision, you should submit an appeal in writing to the Curriculum Manager who has responsibility for your programme within 5 working days of the outcome of Stage 1.

The Curriculum Manager will discuss your appeal with both you and your Programme Leader. The Curriculum Manager will decide whether there are grounds for a review of the assessment decision and may request that the assessment decision is reviewed by the assessor or an internal quality assurer. If it is agreed that there is a review of the assessment decision an Academic Appeals Panel will meet.

The Curriculum Manager will write to you confirming the next steps with your appeal and will:

- Confirm that the Academic Appeals Panel will meet and let you know the date of the panel (within 10 working days), or
- That the appeal is not upheld

2.5 What is the role of the Academic Appeals Panel?

The Academic Appeals Panel will consider appeals arising from all assessment decisions. It will decide whether there is a case for appeal. If the Panel decides there is a case for appeal, it will refer the matter to the Curriculum Manager for review of the assessment decision with the assessor.

2.6 Who is on the Academic Appeals Panel?

The Panel will consist of a Chairperson and a member from the Senior Management Team from academic areas not involved in the appeal and the Quality & Standards Manager. The Curriculum Manager will also be present at the Academic Appeals Panel to outline the background to the appeal.

The student making the appeal will be invited in writing to attend the Academic Appeals Panel meeting and will be entitled to be accompanied by a friend, relative or student representative. Legal representatives are not allowed. Where students are assessed as having a learning difficulty and/ or disability or language support need, they should contact the Learning Support Manager to arrange for any support needed at the meeting. If the student does not attend this meeting and the Academic Appeals Panel is satisfied that sufficient notice was given of the meeting, the appeal will be considered as closed.

2.7 What will happen at the Academic Appeals Panel?

- Papers will be circulated to everyone involved in the appeal 5 days before the appeal hearing.
- The Chair of the Panel will introduce the panel members, the student making the appeal and their representative.
- The hearing will start with the Curriculum Manager outlining the background to the appeal.
- The Curriculum Manager may call witnesses to the assessment decision, who may be questioned by the panel members.
- The student, or their representative, will be asked to outline their grounds for appeal. Students with learning difficulties and /or disabilities may have specialist support.
- The Panel will hear any witnesses the student wishes to call. The panel members may ask questions of the witnesses.
- Both the Curriculum Manager and the student making the appeal may make concluding statements.
- The panel will discuss the appeal in private and announce its decision publicly to the student and their representative. In addition, the student will be informed of the decision in writing within 7 working days of the meeting. The student will then be asked to sign the final stage of the Appeal Record that the Chair will have completed.

2.8 What are the outcomes of the Academic Appeals Panel?

There are two possible outcomes:

- If your appeal is upheld, the Academic Appeals Panel will refer the matter to the Curriculum Manager for review of the assessment decision with the assessor. The Academic Appeals Panel will make recommendations to the Curriculum Manager.
- If your appeal is not upheld, there is no further right of appeal.

Students should note that the Academic Appeals Panel can only consider the grounds for appeal that have been made in writing. Any alteration or addition to the grounds for appeal at any stage will mean that a new appeal must be made, and a new hearing held.

3. Awarding Organisation Appeals

3.1 For externally marked examinations, if a candidate is unhappy with the mark / grade awarded, they may be able to request a copy of their script and/or a review of the marking. The candidate should raise this with the Programme Leader.

3.2 Upon receipt of the result notification, the candidate should discuss their result with their Programme Leader. The Programme Leader will contact the Achievements Team, who will advise which options are available for the specific qualification and for details of the deadlines and fees.

3.3 The Awarding Organisation have strict deadlines which must be adhered to.

4. Monitoring

4.1 The College will use appeals data to monitor the impact of the Appeals Procedure on different groups of applicants.

APPENDIX A

HIGHER EDUCATION ACADEMIC APPEALS PROCEDURE

(For use with all programmes regulated by the Office for Students)

1. Scope and Purpose

- 1.1 This procedure is available to all HE students at City of Portsmouth College (COPC), irrespective of the course of study being followed, and has been developed to provide the same high level of protection as the appeals procedure applicable across the College.
- 1.2 The purpose of the procedure is to outline the context in which an appeal may be made and also to explain the precise fashion in which such appeals will be considered.
- 1.3 This procedure is only concerned with assessment decisions and the processes leading up to them. It does not deal with disciplinary action or complaints regarding the delivery of the course or the availability of facilities, for which separate processes are in place.

2. Appeals

- 2.1 City of Portsmouth College is committed to offering the best possible Higher Education provision and promises to treat all academic appeals seriously.
- 2.2 The basic structure of the HE Appeals Procedure is similar to that outlined for the College as a whole in section 2 of the main body of this document.
- 2.3 This appeals procedure only applies to decisions on results and therefore can only be utilised after the relevant assessment board has taken place. Appeals cannot be made against provisional results.
- 2.3 Students are strongly recommended to submit appeals as soon as possible; however, all appeals must be made no later than 10 working days after the assessment board decisions have been communicated.
- 2.4 Appeals submitted after the deadline will not normally be accepted.
- 2.5 Students wishing to submit an appeal are requested to use the following guidelines:

Stage 1 – Informal Complaint Procedure (see 2.3 above)

This is an informal stage in the process where the matter can be addressed verbally.

If a student has a query regarding a mark or grade awarded, this should in most cases be raised initially with the HE student's personal tutor or the Curriculum Manager for the programme in question, as it could prove possible to resolve the issue without requiring the submission of a formal appeal. Support can be sought from the course representative and students are also at liberty to approach the Assistant Principal for their area, if this seems more appropriate. The complainant should expect to receive a response to the issue of concern within 5 working days.

In all instances, the conversation will be private and confidential and information will only be shared as is necessary for safeguarding purposes or in order to address the issue. It should prove possible to respond to most queries regarding results informally, without the need to invoke a formal written procedure.

Stage 2 – Formal Appeal (see 2.4 above)

A formal appeal will only be considered where evidence can be produced by the student that:

- assessments were not conducted in accordance with regulations
- Some other material irregularity, related to assessment, has occurred

An appeal cannot be made against the academic or professional judgement of the examiners. Providing that marks or grades were accurately recorded, assessment regulations were followed and the assessment has been conducted fairly and appropriately, dissatisfaction or disappointment with results does not constitute grounds for appeal.

Extenuating circumstances which were not declared before the assessment board will only be taken into account in the appeal process in the most exceptional of situations. It would need to be clearly demonstrated that the student making the appeal had been prevented from having any extenuating circumstances considered at the relevant time.

In order to submit a formal appeal, it is necessary to follow the course of action outlined below, depending on the nature of the of the Higher Education programme being studied:

a) University of Portsmouth programmes

Students on courses franchised from the University of Portsmouth should refer to the Appeals Procedure available for download from the University website at:

<https://myport.port.ac.uk/my-course/academic-appeals>

Available to all students on UoP programmes, this procedure is for anyone registered with the University of Portsmouth, whether full-time or part-time, apprenticeship, undergraduate or postgraduate, UK, EU or Global students, University-based or studying at a partner college (including the City of Portsmouth College), as well as those undertaking distance learning.

It is applicable for not only academic appeals, but also for a range of other instances, including:

- an appeal against exclusion
- UK, EU and global admissions appeals
- an appeal against decisions made under the Student Conduct Policy (including Fitness to Study and Fitness to Practise matters)
- an appeal against a decision of a criminal convictions panel
- an appeal against a decision of an Extenuating Circumstances claim
- a student status appeal (for non-payment of fees or not providing registration details)
- an End Point Assessment appeal
- a postgraduate examination board appeal

The Appeals Procedure nonetheless explains the process you should ultimately follow, if as a student at COPC on a University of Portsmouth course, you are unhappy with an assessment decision and believe that you have grounds for an appeal.

Before embarking on the UoP procedure you should undertake Stage 1 of the appeals process as outlined above and only engage with the University's procedure once you have decided to lodge a formal appeal (Stage 2)

Annex A of the Procedure provides a flow chart to aid understanding of UoP's appeals process and you can also contact the University's Academic Appeals team for more information on how best to proceed at academicappeals@port.ac.uk

b) Other COPC HE programmes (e.g. Pearson, Higher National awards etc.)

For appeals involving courses validated by Pearson and other awarding bodies (e.g. HTQs), the process mirrors more closely that described in the main body of this policy document.

Appeals can often be addressed at the informal stage of the process; however, if you are still dissatisfied after your concerns have been reviewed, your appeal should be submitted in writing within 5 working days of the outcome of Stage 1 to the Curriculum Manager with responsibility for your programme.

Your appeal will be acknowledged with any necessary additional clarification being requested. Students should know that it is in their best interests to respond as quickly as possible to any such requests for information, so as to ensure that the case can be considered without delay.

Once an appeal and all supporting details have been received, the case will be investigated promptly, thoroughly and fairly with direct reference to the rules and regulations in operation for the programme concerned.

The appeal investigation will first ascertain that all of the conditions for submitting a valid appeal have been met. You will be given a written response confirming the outcome within **10** working days of receipt of the documentation.

If following the initial investigation, the appeal is rejected, this decision will be communicated directly to the student concerned and the decision on behalf of the College will be final. If, however, it is determined that the appeal is able to proceed, it will be reviewed by an Academic Appeals Panel, as set out in section 2 above.

Stage 3 – Further action

When the appeal procedure for both University of Portsmouth programmes and other HE courses at City of Portsmouth College reaches its conclusion – either because the appeal is deemed to be invalid or a decision in response to the appeal is reached – the student who submitted the appeal will be issued with a ‘Completion of Procedures (CoP)’ letter (by either UoP or COPC) explaining the additional steps that remain open to them.

a) University of Portsmouth programmes

The UoP Appeals Procedure sets out the right of complainants to request a further review by the University’s Academic Registrar.

b) Other COPC HE programmes (e.g. Pearson, Higher National awards etc.)

Following completion of the internal appeals process, students studying programmes validated by Pearson (e.g. HNC/D) have a final right of appeal directly to the awarding body itself.

Pearson’s ‘enquiries and appeals process’ *focuses on procedure and is not concerned with making judgments about learner’s work*. It does not normally involve the re-assessment of a student’s work, but a further review may be required, if the outcome of Pearson’s enquiry deems it necessary.

Students are not able to appeal to Pearson, unless they have first completed the COPC appeals process, detailed above. If a student wishes to enquire about or appeal against any decision of a COPC Academic Appeals Panel, they should contact Pearson within 14 calendar days of being informed of the outcome of the appeals process via the Pearson Student Support portal <https://support.pearson.com/uk/s/>. Pearson will acknowledge an enquiry within 3 days and respond to the enquiry within 30 days of receipt. All cases are reviewed by Pearson's experts with responsibility for the discipline being appealed against.

The Office of the Independent Adjudicator

All Higher Education students also have the right in such instances to pursue their case through the Office of the Independent Adjudicator (OIA).

You may apply to the OIA once you have been issued with we have issued a CoP letter as explained above (or potentially at an earlier time, if it is felt that you have not submitted your appeal within the correct time period). You must fill in an electronic OIA Complaint Form and submit it to the OIA within 12 months of the date of the CoP letter.

Further information on how to do this can be found at www.oiahe.org.uk

The OIA may try to settle the matter before carrying out a full investigation if it believes the matter could be dealt with in this way. Or, if the OIA completes a full investigation, it will provide a 'complaint outcome' which may include recommendations to resolve the complaint.

3. Response Time for Appeals

- 3.1 The time periods set out in this procedure are for guidance and may be subject to extension, particularly if the processing of the appeal coincides with a holiday period.
- 3.2 If the response time needs to be extended for any reason, the complainant will be notified in writing.